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10 Annuity Fund, and the IATSE  
11 National Pension Fund

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19 Attorney for Defendant HBO Films

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24 UNITED STATES DISTRICT COURT  
25 SOUTHERN DISTRICT OF NEW YORK

26 TRUSTEES OF THE IATSE  
27 NATIONAL HEALTH AND  
28 WEALFARE FUND, THE IATSE  
ANNUITY FUND, AND THE IATSE  
NATIONAL PENSION FUND,

19 Plaintiffs,  
20  
21 vs.  
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23 HBO FILMS,  
24 Defendant.

25 CASE NO. 08 CV 6401 (BSJ)

26 STIPULATION AND [PROPOSED]  
27 ORDER OF DISMISSAL OF ALL  
28 CLAIMS WITH PREJUDICE

29  
30 **STIPULATION**

31 Pursuant to Federal Rule of Civil Procedure 41(a), IT IS HEREBY  
32 STIPULATED AND AGREED by and between Plaintiff and Defendant HBO  
33 Films, through their respective counsel of record, as follows:  
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2       1. Plaintiff's Complaint, filed July 17, 2008, shall be dismissed with  
3 prejudice;

4       2. Each party shall bear its own costs and attorneys' fees in  
5 connection with the prosecution and defense of the above-referenced claims.

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7 DATED: August 18, 2008

SPIVAK LIPTON LLP

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12 DATED: August 27, 2008

HBO FILMS

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By   
Nicole Cuda Pérez (NP 6663)  
Attorney for Plaintiff

By   
Stephen L. Sapienza  
Attorney for Defendant HBO Films

**ORDER**

IT IS SO ORDERED.

DATED:

The Honorable Barbara S. Jones  
United States District Judge